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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 ROBERT SMITH, JR.,

8 Petitioner,

9 v.

10 BELINDA STEWART,

11 Respondent.

Case No. C07-0166RSL

ORDER REGARDING
CERTIFICATE OF APPEALABILITY

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13 This matter was transferred from the United States Court of Appeals for the Ninth
14 Circuit for docketing as a notice of appeal. Because petitioner challenges the detention decision
15 of an administrative body (the Indeterminate Sentence Review Board), a certificate of
16 appealability is not necessary. Rosas v. Nielsen, 428 F.3d 1229, 1231-32 (9th Cir. 2005); Order
17 of Ninth Circuit, No. 07-35355 (dated 8/2/07). The Clerk of Court shall process Mr. Smith's
18 appeal accordingly.

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20 Dated this 15th day of September, 2009.

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22 Robert S. Lasnik

23 United States District Judge

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26 ORDER REGARDING
CERTIFICATE OF APPEALABILITY